

Notice of Allowability

Application No.

10/728,945

Applicant(s)

YOO ET AL.

Examiner

Lawrence B. Williams

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to terminal disclaimer filed on 05 December 2005.
2. ☒ The allowed claim(s) is/are 1-48.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/410,755.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Esther H. Chong on 12/19/2005.

The application has been amended as follows:

- a.) In claim 1, line 5, change the phrase "when the count value" to "when a count value".
- b.) In claim 6, line 5, change the phrase "the count value" to "a count value".
- c.) In claim 11, line 4, change the phrase "when the count" to "when a count".
- d.) In claim 16, line 5, change the phrase "when the count value" to "when a count value".
- e.) In claim 21, line 5, change the phrase " the count value" to "a count value".
- f.) In claim 26, line 4, change the phrase " when the count " to "when a count".
- g.) In claim 35, lines 5-6, change the phrase " created by 27MHz unit" to " to " created by a 27 MHz unit " and "created by 90 MHz unit" to "created by a 90 MHz unit".
- h.) In claim 37, lines 2-3, change the phrase " portion of bigger-unit" to " to " portion of a bigger-unit" and "portion of smaller-unit" to "portion of a smaller-unit".
- i.) In claim 40, change the phrase "creates data object" to "creates a data object".
- j.) In claim 42, lines 5-6, change the phrase " created by 27MHz unit " to " to " created by a 27 MHz unit " and "created by 90 MHz unit " to "created by a 90 MHz unit ".

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k.) In claim 44, lines 2-3, change the phrase “portion of bigger-unit” to “to “portion of a bigger-unit” and “portion of smaller-unit” to “portion of a smaller-unit”.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The instant application discloses a recording medium, an apparatus and a method for recording time information of digital data streams. A search of prior art records failed to disclose a an apparatus for recording time information of digital data streams comprising:

“a counter to count the clock generated by the clock generator such that a smaller-unit time field is reset when the count value of the smaller-unit time field reaches a predetermined value and a bigger-unit time field is incremented by 1 when the smaller-unit time field is reset; and a data formatter to create data object units by adding the count values of the bigger-unit time field and the smaller-unit time field of the counter at the time each unit of a digital data stream is received, to the corresponding unit of the digital data stream” as disclosed in claim 1.

“means for counting the generated clock such that a smaller-unit time field is reset when the count value of the smaller-unit time field reaches a predetermined value and a bigger-unit time field is incremented by 1 when the smaller-unit time field is reset; and means for creating data object units by adding the count values of the bigger-unit time field and the smaller-unit time field at the time each unit of a digital data stream is received, to the corresponding unit of the digital data stream” as disclosed in claim 6.

“a counter to count the clock generated by the clock generator such that a smaller-unit time field is reset when the count value of the smaller-unit time field reaches a predetermined value and a bigger-unit time field is incremented by 1 when the smaller-unit time field is reset; and a data formatter to create data object units by adding the count values of the bigger-unit time field and the smaller-unit time field of the counter at the time each unit of a digital data stream is

received, to the corresponding unit of the digital data stream, wherein the data object units carry management data” as disclosed in claim 16.

“means for counting the generated clock such that a smaller-unit time field is reset when the count value of the smaller-unit time field reaches a predetermined value and a bigger-unit time field is incremented by 1 when the smaller-unit time field is reset; and means for creating data object units by adding the count values of the bigger-unit time field and the smaller-unit time field at the time each unit of a digital data stream is received, to the corresponding unit of the digital data stream, ” wherein the data object units carry management data” as disclosed in claim 21.

“a counter to count the clock generated by the clock generator in order to create a smaller-unit time field and a bigger-unit time field, wherein the smaller-unit time field is created by 27MHz unit and the bigger-unit time field is created by 90KHz unit; and a data formatter to create a data object unit being presentation data, by adding a corresponding unit of the digital data to management data including the smaller-unit time field and the bigger-unit time field” as disclosed in claim 35.

Nor does the prior art teach a method for recording time information of digital data streams comprising: “counting the generated clock such that a smaller-unit time field is reset when the count value of the smaller-unit time field reaches a predetermined value and a bigger-unit time field is incremented by 1 when the smaller-unit time field is reset; and creating data object units by adding the count values of the bigger-unit time field and the smaller-unit time field at the time each unit of a digital data stream is received, to the corresponding unit of the digital data stream” as disclosed in claim 11.

“counting the generated clock such that a smaller-unit time field is reset when the count value of the smaller-unit time field reaches a predetermined value and a bigger-unit time field is incremented by 1 when the smaller-unit time field is reset; and creating data object units by adding the count values of the bigger-unit time field and the smaller-unit time field at the time each unit of a digital data stream is received, to the corresponding unit of the digital data stream, wherein the data object units carry management data” as disclosed in claim 26.

“ (b) counting the clock in order to create a smaller-unit time field and a bigger-unit time field, wherein the smaller-unit time field is created by 27MHz unit and the bigger-unit time field is created by 90KHz unit; and (c) creating a data object unit being presentation data, by adding a corresponding unit of the digital data to management data including the smaller-unit time field and the bigger-unit time field “ as disclosed in claim 42.

Nor does the prior art disclose a recording medium for recording time information of digital data streams received through an interface comprising:

“wherein the data object units are created by adding count values of a bigger-unit time field and a smaller-unit time field at the time each unit of a digital data stream is received, to the corresponding unit of the digital data stream, wherein the count values are generated, such that the smaller-unit time field is reset when the count value of the smaller-unit time field reaches a predetermined value, and the bigger-unit time field is incremented by 1 when the smaller-unit time field is reset, and wherein the data object units carry management data” as disclosed in claim 31.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONCLUSION

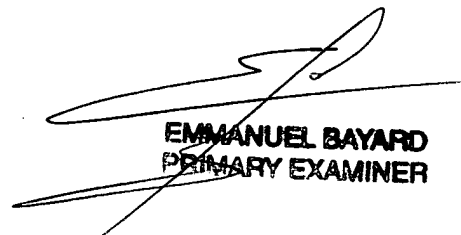
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 571-272-3037. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on 571-272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lawrence B. Williams

lbw
December 19, 2005



EMMANUEL BAYARD
PRIMARY EXAMINER